

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

BAD RIVER BAND OF THE LAKE
SUPERIOR TRIBE OF CHIPPEWA INDIANS
OF THE BAD RIVER RESERVATION

Plaintiff,

v.

ENBRIDGE ENERGY COMPANY, INC., and
ENBRIDGE ENERGY, LP

Defendants.

Case No. 3:19-cv-00602

Judge William M. Conley
Magistrate Judge Stephen Crocker

ENBRIDGE ENERGY, LP

Counter-Plaintiff,

v.

BAD RIVER BAND OF THE LAKE
SUPERIOR TRIBE OF CHIPPEWA INDIANS
OF THE BAD RIVER RESERVATION and
NAOMI TILLISON, in her official capacity

Counter-Defendants.

**DECLARATION OF SHELL CANADA LIMITED IN SUPPORT OF ENBRIDGE'S
OPPOSITION TO MOTION FOR INJUNCTION**

I, Kevin McMahon, have personal knowledge of the following and make this declaration in support of Enbridge Energy, Limited Partnership's ("Enbridge") opposition to Plaintiffs motion for injunction:

1. My business address is 150 St Clair Pkwy, Corunna, Ontario, Canada, N0N 1G0. My current position is General Manager of Sarnia Manufacturing Centre, for Shell Canada Limited ("Shell Canada").

2. Shell Canada is an integrated oil and gas company, headquartered in Calgary, Alberta, with more than 3,000 employees in Canada.

3. Shell Canada regularly ships and processes crude oil and natural gas liquids transported through Line 5.

4. Similar to other refiners in the United States and Canada, Shell Canada is dependent on Line 5 for crude supply.


5. As a result of any Line 5 closure, the Shell Canada Sarnia Manufacturing Centre, a refinery located in Sarnia, Ontario, would have to reduce crude processing rates. If Line 5 remains shut down for any significant period of time, this would force the shutdown of refinery process units, which will decrease the supply of fuel (gasoline, distillate, and jet fuel) refined by our refinery.

6. Additionally, since Line 5 is the only pipeline capable of carrying natural gas liquids from Alberta to Ontario, the shutdown will reduce the natural gas liquids supply moved by pipeline into the Sarnia fractionation facility, in which Shell has an interest.

7. A Line 5 shutdown would have ripple effects throughout the Canadian supply chain for crude oil and natural gas liquids, as well as the fuel supply in Canada, leading to job loss, refined product shortages, and price hikes for consumers.

I declare under penalty of perjury that the foregoing is true and accurate.

Executed on this 12th day of May, 2023.

A handwritten signature in black ink, appearing to read 'K McMahon', is written over a horizontal line.

Kevin McMahon

General Manager, Sarnia Manufacturing Centre